UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,815	09/05/2000	Shell S. Simpson	10002267	7462

	7590	03/16/2004

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EXAMINER
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ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 03/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/654,815	SIMPSON, SHELL S.
Office Action Summary	Examiner	Art Unit	
	Saeid Ebrahimi-dehKordy	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 3

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voth (U.S.

patent 5,581,669) in view of Hamamoto et al (U.S. patent 6,594,028)

Regarding claim 1,16 and 22 Voth disclose: A system for tracking time and date

with a printer and managing that printer accordingly, the system

comprising: a printer having a clock circuit (please note Fig.6 column 9 lines 9-19)

client to a print Job being transmitted to said printer; and said printer extracts said

time/date data from said print job transmission and uses said time/date data to set or

adjust said clock circuit of said printer (please note Voth column 11 lines 44-67 and

column 12 lines 1-50) However Voth does not disclose: and one or more printer clients,

each having a clock circuit wherein a printer driver of said printer client appends

time/date data from said clock circuit of that printer On the other hand Hamamoto et al

disclose: and one or more printer clients, each having a clock circuit (please note

Hamamoto et al, column 89 lines 44-47) wherein a printer driver of said printer client

appends time/date data from said clock circuit of that printer (please note Hamamoto et

al Fig.81 column 87 lines 65-67 and column 88 lines 1-23).

Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Voth's invention according to the teaching of Hamamoto et al, where Hamamoto et al in the same field of endeavor teach the printer driver to transmit the time and date and the status of the data sent through the computers for the purpose of modifying operational parameters of the printer.

Regarding claim 2 and 17 Hamamoto et al disclose: the system of claim 1, where said printer compares said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs (please note column 87 lines 65-67 and column 88 lines 1-15).

Regarding claim 3 and 18 Hamamoto et al disclose: The system of claim 2 wherein said printer reject said time/date data if beyond a predetermined threshold relative to other time/date data received (please note column 10 lines 28-34).

Regarding claim 4 Voth discloses: The system of claim 3 wherein said printer rejects said time/date data if more than the standard deviation away from a sampling of other time/date data received (please note column 8 lines 63).

Regarding claim 5 and 19 Voth discloses: the system of claim 1 wherein said printer averages said time/date data received with said print job with other time/date data received with other print jobs and then sets or adjusts said clock circuit of said printer according to a resulting average of all said time/date data (please note column 5 lines 39-56).

Regarding claim 6 Voth disclose: The system of claim 1, wherein said clock

circuit of said printer is connected to a battery as a back-up power source (please note

column 6 lines 51-65).

Regarding claim 7 Voth discloses: The system of claim 1, wherein said printer is

maintained in an operating mode during pre-defined hours and days based on output

from said clock circuit of said printer (please note column 11 lines 44-59)

Regarding claim 8 and 21 Hamamoto et al disclose: The system of claim 1,

wherein said printer avoids performing a calibration procedure during pre-defined hours

and days based on output from said clock circuit of said printer (please note column 87

lines 54-64).

Regarding claim 9 Hamamoto et al disclose: A method of tracking time and date

with a printer and managing that printer accordingly (please note column 87 lines 65-67

and column 88 lines 1-15) the method comprising appending time/date data to a print

job sent to said printer from a printer client having a clock circuit (please note Fig.6

column 9 lines 9-19)

Regarding claim 10 and 23 Voth disclose: The method of claim 9, further

comprising. extracting said time/date data from said print job and using said time/date

data to set or adjust a clock circuit of said printer (please note Voth column 11 lines 44-

67 and column 12 lines 1-50).

Regarding claim 11 Voth discloses: The method of claim 10, further comprising

comparing said time/date data received with said print job to time/date data From said

clock circuit of said printer or other time/date data received with other print jobs (please

note column 11 lines 44-67 and column 12 lines 1-50).

Regarding claim 12 Voth discloses: the method of claim 11, further comprising

rejecting said time/date data if beyond a predetermined threshold from said other

time/date (please note column 12 lines 56-65).

Regarding claim 13 Voth discloses: The method of claim 9 further comprising

averaging said time/date data received with said print job with other time/date data

received with other print jobs and then setting or adjusting said clock of said printer

according to a resulting average of all said time/date data (please note column 12 lines

1-55).

Regarding claim 14 Hamamoto et al disclose: The method of claim 9, further

comprising maintaining said printer in an operating mode during pre-defined hours and

days based on output from said clock circuit of said printer (please note column 87 lines

65-67 and column 88 lines 1-15).

Regarding claim 15 and 20 Hamamoto et al discloses: The method of claim 9,

further comprising avoiding performance a calibration procedure during pre-defined

hours and days based on output from said clock circuit of said printer (please note

column 88 lines1-25).

Regarding claim 24 Voth discloses: the computer-readable instruction of claim 23

wherein the second set of said instructions further causes said processing device in

said printer to compare said time/date data received with said print job to time/date data

from said clock circuit of said printer or other time/date data received with other print

jobs and reject said time/date data if beyond a standard deviation from said other

time/date data (please note column 11 lines 44-67 and column 12 lines 1-50).

Regarding claim 25 Voth discloses: the computer-readable instruction of claim 23

wherein said second set of said instructions further causes set processing device in said

printer to average said time/date data received with said print job with other time/date

data and set or adjust said clock circuit of said printer according to a resulting average

of all said time/date data (please note column 13 lines 27-55).

Contact Information

➢ Any inquiry concerning this communication or earlier communications from the
   examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number
   is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to

5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

      Assistant Commissioner for Patents
      Washington, D.C. 20231

Or faxed to:

      (703) 872-9306, or (703) 308-9052 (for **formal** communications; please
      mark
      "EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for *informal* or *draft* communications, please label
"PROPOSED" or "DRAFT")
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal
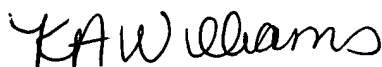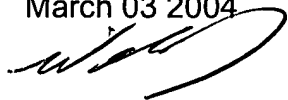Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
March 03 2004

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER